

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

KIMBERLY SNEAD,

Plaintiff,

VS.

No. _____
JURY DEMANDED

NATIONWIDE PROPERTY AND CASUALTY
INSURANCE COMPANY,

Defendant.

NOTICE OF REMOVAL

Defendant, NATIONWIDE PROPERTY AND CASUALTY INSURANCE COMPANY, hereby notifies the Judges of the United States District Court for the Western District of Tennessee, Eastern Division, the clerk of the Chancery Court of Henry County, Tennessee and Plaintiff, Kimberly Snead, that the action described herein and filed in the Chancery Court of Henry County, Tennessee, is removed to the United States District Court for the Western District of Tennessee, Eastern Division, pursuant to 28 U.S.C. § 1441.

1. On March 3, 2008, Plaintiff, Kimberly Snead, filed a civil action bearing Docket No. 20737 against the Defendant, NATIONWIDE PROPERTY AND CASUALTY INSURANCE COMPANY, in the Chancery Court of Henry County, Tennessee. Service of the complaint and summons was made upon the Commissioner of Insurance on March 11, 2008, by certified mail and then upon Defendant on March 18, 2008.

2. This action is filed by Plaintiff for proceeds allegedly due under a contract of insurance written by Defendant, NATIONWIDE PROPERTY AND CASUALTY

INSURANCE COMPANY, insuring Plaintiff's residence and contents in Henry County, Tennessee, which property was allegedly severely damaged by a fire occurring on or about March 19, 2007.

3. Petitioner seeks removal of this action to this Court upon the grounds that the controversy is wholly between citizens of different states and involves an amount in controversy which exceeds Seventy-Five Thousand Dollars (\$75,000.00), exclusive of the interest and costs, 28 U.S.C. § 1332. Specifically, the complaint alleges that the fire damaged Plaintiff's home and its contents in the amount of \$102,500.00 plus prejudgment interest and costs of cause along with a request for recovery of treble damages pursuant to T.C.A. §47-18-109. (See Complaint, ¶ E and F).

4. Plaintiff is a resident citizen of the State of Tennessee was a citizen of the State of Tennessee at the time of the filing of this action and at the time of removal. Defendant, NATIONWIDE PROPERTY AND CASUALTY INSURANCE COMPANY, is a corporation incorporated in Ohio, with its principal place of business in Columbus, Ohio. The amount in controversy exceeds Seventy-Five Thousand Dollars (\$75,000.00), exclusive of interest and costs.

5. This notice is filed within the time prescribed by 28 U.S.C. § 1446(b).

6. A copy of the Summons and Complaint, being all the papers served upon the Defendant, is attached hereto.

WHEREFORE, Notice is hereby given that the said civil action number 20737 is removed from the Chancery Court of Henry County, Tennessee, to this Court.

RAINEY, KIZER, REVIERE & BELL, P.L.C.

___s/ Russell E. Reviere_____
Russell E. Reviere (07166)
Attorney for Defendant
209 East Main Street
P. O. Box 1147
Jackson, TN 38302-1147
(731) 423-2414

CERTIFICATE OF SERVICE

The undersigned certifies that a true copy of this pleading or document was served upon Michael U. King, Attorney at Law, P.O. Box 667, Huntingdon, Tennessee 38344, by mailing postage prepaid.

This the 25th day of March, 2008.

s/ Russell E. Reviere